

Looking back, moving forward

Ontario Human Rights Commission Annual Report 2010-2011



Meet our Commissioners



Barbara Hall – Appointed November 2005

Barbara Hall, Chief Commissioner of the Ontario Human Rights Commission and former Mayor of Toronto, has served for more than 40 years as a community worker, lawyer, municipal politician and champion of a grassroots approach to community-building.



Patrick Case – Guelph – Appointed September 2006

Patrick Case is the Director of the University of Guelph's Human Rights and Equity Office. A lawyer by training, his previous roles include Chair of the Canadian Race Relations Foundation and Co-Chair of the Equality Rights Panel of the Court Challenges Program. Patrick resigned from the Commission in October 2010.



Ruth Goba – Toronto – Appointed October 2006

Ruth Goba, a lawyer, has worked domestically and internationally on disability and women's equality rights issues. From 2007 to 2009, she was the Executive Director of the Centre for Equality Rights in Accommodation (CERA), a human rights NGO that promotes housing and other economic and social rights.



Raja Khouri – Toronto – Appointed September 2006

Raja G. Khouri is managing consultant at The Knowledge Centre and specializes in organizational development and capacity building in the non-profit sector. Raja is co-founder of the Canadian Arab-Jewish Leadership Dialogue Group. He formerly served on Ontario's Hate Crimes Community Working Group and the Equity and Inclusive Education Strategy Roundtable.



Fernand Lalonde – Gloucester – Appointed May 2005

Fernand Lalonde retired from the federal public service in 2001 after serving in many roles, including General Secretary of the National Joint Council, Executive Director of Appeals and Investigations for the Public Service Commission of Canada, and Director of Personnel Services, Parks Canada.



Julie Lee – London – Appointed September 2009

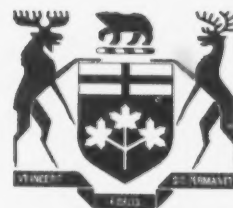
Julie Lee is a lawyer, practicing family and criminal law in St. Thomas, Ontario. Prior to her legal education she worked in the anti-violence movement as an educator, administrator and advocate. Julie's advocacy has also been directed at achieving equity and dignity for same-sex families.



Paul Lefebvre – Sudbury – Appointed September 2009

Paul Lefebvre is a partner at Weaver Simmons where he practices corporate and tax law and is also a business owner. Currently he is President of the Sudbury District Law Association, and former Board Chair of the Centre de Santé Communautaire du Grand Sudbury.

Continued on inside back cover.



Ontario

June 30, 2011

The Honourable Steve Peters
Speaker of the Legislative Assembly of Ontario
Room 180
Legislative Building
Queen's Park
Toronto, ON
M7A 1A2

Dear Mr. Speaker:

Under Section 31.6 (2) of the *Ontario Human Rights Code*, the Ontario Human Rights Commission is required to submit a report on the Commission's activities for the previous fiscal period by June 30th of each year, to be tabled in the Legislature.

In this regard, I am pleased to provide you with the Commission's Annual Report of its activities from April 1, 2010 to March 31, 2011.

Yours sincerely,

A handwritten signature in cursive script, appearing to read "Barbara Hall".

Barbara Hall, B.A, LL.B, Ph.D (hon.)
Chief Commissioner



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Message from the Chief Commissioner



Fifty years ago, the newly-created Ontario Human Rights Commission knew what it was up against. Discrimination was as blatant as the signs that advised "No Jews or Blacks need apply." But it was clear to the government of the day that dealing with discrimination

needed more than just laws. The Commission's first Director, Daniel G. Hill, said the objective was "to challenge popular myths and stereotypes about people" and described human rights legislation as "the skilful blending of educational and legal techniques in the pursuit of social justice."

Over the years, our collective sense of what are myths and what is reality has grown sharper and more focused. The '70s saw a better understanding of gender discrimination, the need for equal pay for equal work, and ensuring the right to be free from sexual harassment.

In 1981, the revised *Human Rights Code* included the grounds of marital and family status and disability. Five years later, sexual orientation was added.

We talk about adding "grounds" to the *Code*, but, in fact, we have added people. Ontarians have come to recognize that it is fundamentally wrong to treat individuals and groups differently because they seem "different" from a traditional view of what people in Ontario look like, or act or pray or play.

Fifty years on, direct discrimination is less obvious, but subtle barriers to progress and success continue to hold back many of Ontario's most vulnerable people. Those "popular myths" are often built into the structures of the places we work or live – systemic discrimination.

In response to those changing circumstances, the Government of Ontario revamped the human rights system in Ontario three years ago. Now, the OHRC has the mandate to concentrate on educating, empowering and acting to make sure everyone is included and has the opportunity to succeed. We are also, as you will see in the pages that follow, developing new tools to help workers and their employers, service providers and other institutions to look at their structures through a human rights lens and remove the barriers to equity.

Along the way, perhaps inevitably, there have been concerns about the way our society has changed. For some, change has been uncomfortable, or even threatening. But with each new ground in the *Code*, each acknowledgement that discrimination exists, each new group of people protected, there has come a growing acceptance that inclusion works for us all.

Again this past year, I have been privileged to work with a bright, hard-working and passionate group of Commissioners and staff. Their dedication to the task inspires me, and I thank them all.

In the words of Daniel G. Hill, human rights work presents us with "a tough challenge, but a magnificent opportunity." Fifty years later, the challenge is no less tough and the opportunities continue to be magnificent.

A handwritten signature in dark ink, appearing to read 'Barbara Hall'.

Barbara Hall
Chief Commissioner

Looking back, moving forward – our vision, mandate and priorities

On March 28, 2011, the Attorney General for Ontario, the Hon. Chris Bentley spoke in the Ontario Legislature to mark the 50th anniversary of the OHRC.

For a half-century now, the Commission has played an important role in upholding Ontario's commitment to human rights, and since the system was transformed in 2008, the Commission has continued to help prevent discrimination and promote and advance human rights through partnerships, consultation, education and policy development. By working with individuals, groups, institutions and employers across the province, the Commission encourages respectful dialogue that helps bring people and communities together to resolve issues of tension and conflict.

50 years earlier, at first reading of the bill that created the Commission, then-Premier Leslie Frost spoke of the development of Ontario's human rights legislation.

No doubt, when these steps were taken, there were some misgivings, based on a fear that such unique laws would not work. But they have worked because they are in harmony with the thinking of our people...

In order to strengthen the educational arm of our programme, the Ontario anti-discrimination commission will be renamed the Ontario Human

Rights Commission. This name, I think, is more in keeping with the great purpose which we all have in mind. This will be in line with the positive approach to human rights which encompasses all of the people of Ontario.

Human rights are the foundation of an inclusive, successful society and a thriving economy. The barriers produced by discrimination stop progress; they humiliate people, prevent them from contributing to the level of their ability or aspirations and may lead to tension, conflict and discord.

The Government of Ontario has emphasized the need to identify and deal with the root causes of discrimination. The OHRC has focused its priorities and organizational structure to achieve our vision: an Ontario in which everyone is valued, treated with dignity and respect, and where human rights are nurtured by us all.

To do that, the OHRC continues to develop leading-edge human rights policy. We research, investigate, monitor and report on discrimination. We share our knowledge and guidance through public education and outreach programs designed to make the fight against inequity and intolerance a common responsibility. By bringing partners in the community together we are raising awareness of problems – and of solutions.

"[T]hings which were accepted and perhaps appeared to be commonplace in other days are today becoming more unacceptable and more objectionable to a very large segment of our people, indeed to all our people."

*– Hon. Leslie Frost in the Ontario
Legislature, February 14, 1961*

Setting our priorities

For the past three years, the OHRC has done extensive work with schools, the police and Aboriginal people in Ontario on racism and hate. We added new priority areas, including housing

and mental health and continued to monitor and advise on new legislation and regulations. Over the next three years, we will expand our work on discrimination against children with special needs at school and discrimination in employment.

Saying STOP to sexual and gender-based harassment

A high school student gets a failing grade on her essay because she refused her teacher's sexual advances. A factory worker repeatedly turns down her foreman's requests for a date, and suddenly sees her work hours reduced. A single mother gets evicted because she won't have sex with her landlord.

These stories don't take place 50 years ago – they, along with many others like them, happened recently. Even though the law is clear, some people still don't "get" that there is no place for sexual harassment in our workplaces, schools and housing. Sexual and gender-based harassment often occurs because of a power imbalance between the harasser and the person being harassed. It can happen to anyone, of any social, economic or ethnic background.

While a lot of harassment is subtle, there are still many blatant cases, involving women and, less frequently, men. And there are even new, 21st century ways to harass – the Internet and social media are becoming the weapons of choice.

That's why the OHRC launched its newly revised *Policy on preventing sexual and gender-based harassment*. The policy covers sexual and gender-based harassment in employment, housing and education. It shows how the *Code* protects against harassment, and offers practical steps to prevent it.

The policy also raises gender-based harassment – harassing comments or conduct made to a person because of their gender. Gender-based harassment is often used to reinforce traditional male/female roles. In many cases it may look the same as homophobic harassment.

The effects of sexual and gender-based harassment may be serious, and can be particularly damaging for young people.

The OHRC will promote the new policy across Ontario, to send a strong message that sexual and gender-based harassment is wrong – and is against the law.

INTERSECTING GROUNDS
DISCRIMINATION
violence
ABUSE OF POWER
gender based
EDUCATION
Poisoned environment
Sexism
sexual harassment
employment

Adding voices to the mental health conversation

Since disability was added to the *Human Rights Code* in 1981, it has become the ground most often cited in human rights complaints in Ontario. The OHRC has done much work in this area, but primarily on physical disability. In the past, there were few official complaints based on mental health, but we knew that they were out there. Now, as mental health issues emerge from the shadows and people feel more empowered to tell their stories, we've worked to better understand the discrimination that mental illness creates. The first step has been consultation – the largest in our history.

The consultation encouraged people with mental health disabilities and addictions, their families and friends, employers, service providers and housing providers in communities across Ontario to tell their stories. It included an online survey in English, French, American Sign Language (ASL) and *Langue des signes québécois* (LSQ). More than 1,000 people responded and provided a wealth of personal stories and insights.

We wanted to understand how discrimination because of a person's mental health issue or addiction affects their day-to-day lives – their ability to find and keep a job, get an apartment or connect with education and health-related services.

We also wanted to learn:

- The kind of information housing, service providers and employers need to help protect the human rights of people with mental health disabilities and/or addictions
- The types of discrimination that happen based on mental health disabilities and/or addictions in the areas of housing, services and employment
- If there are laws, policies, procedures or systemic practices that disproportionately disadvantage people with mental health issues and/or addictions
- What the OHRC and other bodies can do to raise public awareness, prevent and address these human rights issues.

The OHRC also led focus groups with patients in psychiatric facilities, and with many organizations that provided mental health and addictions services. As well, hundreds of people attended both public and private sessions for persons with mental illness, employers, service and housing providers in North Bay, Ottawa, Windsor and Toronto.

We also invited individuals and organizations to make written submissions.

Undoubtedly, in our country and in the thoughts of people like us, there has been a great awakening to injustices which, perhaps unthinkingly, we have permitted in other times, but which today stand out increasingly as things which should be corrected.

– Hon. Leslie Frost in the Ontario
Legislature, February 14, 1961

Taking action

Talking about mental health is not nearly enough. Even as our consultation got underway we began to take action to educate and to reach out. We added a new section on our website that brings together information on human rights and mental health in Ontario. This resource outlines the OHRC's mental health plan, explains the rights of persons with mental health disabilities and addictions, and includes tips on how employers, housing and service providers can meet their responsibilities under the *Code*, including the duty to accommodate.

We have also made submissions to the Ministry of Health and Long Term Care on their 10-year mental health strategy, and we are building a partnership with the Mental Health Commission of Canada. We have litigated cases at the Human Rights Tribunal of Ontario to protect the rights of people with mental health disabilities and addictions, and worked with community groups

and police on the issue of police record checks that can result in discrimination against people apprehended under the *Mental Health Act*.

We will publish a consultation report with recommendations based on what we learned from the round table sessions, focus groups and surveys.

The next step will be a responsive policy that clearly explains human rights protections for people with mental health disabilities. The policy will also support employers, housing and service providers in their efforts to eliminate barriers and help people living with mental health disabilities and addictions get the tools they need to contribute and to thrive.



Building on a 50-year legacy: human rights and housing

Housing in the news

When discussing a bill to prohibit discrimination in housing, Liberal leader John Wintermeyer said the bill didn't go far enough, because it only applied to rental housing with more than six units.

"We are in no way interfering with the rights of individuals to choose their own friends and operate their own homes as they see fit," said Premier Leslie Frost.

Reginal Gisborn (CCF) hoped that this was only the beginning in promoting equal opportunity in housing accommodation.

Source: The Globe and Mail,
March 2, 1961

Since the Ontario Human Rights Commission's beginnings in 1961, we have had a mandate to remove the many discriminatory barriers that prevent people from getting the housing they need. Over time, as the OHRC has evolved, so have the barriers.

In 1961, the Commission saw much overt racism. People were routinely denied housing because of race or religion. Daniel G. Hill, the head of Ontario's first Human Rights Commission, got involved in human rights after experiencing discrimination both in the United States and Canada – he knew first-hand how it felt to face racism in the search for a place to live.

Hill had done something almost unheard of – he was a Black man who married a White woman. He had to have his wife bring a white friend with her to rent their first apartment in Toronto, and routinely faced different treatment because his family did not fit the accepted “norm.” It took weeks after moving in before the Hills could get a formal lease. As his wife, Donna Hill, recounted years later, “The landlords watched Dan and me for six weeks or so and decided we weren’t going to cause any horrible problems for them and finally let us sign a lease for about \$80 a month plus parking.”

Individual cases continue to arise today, and we have just developed new education tools to help tenants understand their rights and the remedies available to them. We have also created resources for landlords, to help them understand their responsibilities under the *Code*.

After major consultations, we have focused on factors that affect the supply of housing, such as zoning and rental housing licensing bylaws. Key issues seem to recur again and again across Ontario including:

- Minimum separation distance requirements – rules that can unfairly limit some types of housing in an area
- Caps on the number of bedrooms in rental housing, which could limit housing options for larger families and different family types, students and other people who identify under *Code* grounds
- Bylaws that are not applied consistently across a municipality – this differential treatment could be seen as discrimination, especially when bylaws target only student housing areas
- Basing bylaws on behaviour rather than land-use issues.

Many municipalities have had such provisions in place for years and may not even realize their potential to discriminate. When we first began raising these issues, we were met with, at best,

surprise and at worst, hostility. This is nothing new – there is often resistance when challenging “what we’ve always done in the past” to advance human rights.

We have not been successful on every housing issue. But we are making solid progress. Since we began to focus on housing issues in 2007, we have gained new acceptance for our position – and the view of the United Nations – that housing is a human right. There are now decisions at the Tribunal and the OMB that help support the changes we want to make. And we’re starting to see municipalities wanting us to work with them on housing issues.

Talking to Toronto about zoning

In August 2010, we made a written submission and Chief Commissioner Barbara Hall spoke to the City of Toronto Planning and Growth Management Committee about Toronto’s Draft Zoning Bylaw. We continued to have concerns that parts of the bylaw could contravene the *Human Rights Code*.

Our biggest concern was the minimum separation distance of 250 metres between one group or residential care home and another. We were also concerned about the City’s plans to put off dealing with the human rights issues until a later date. Under the *Code*, organizations and governments, like Toronto, have a duty to deal with human rights issues when they arise, not at some unspecified later date.

Toronto Council ultimately passed the bylaw without dealing with our human rights concerns, and we are reviewing the legal options available to us.

Stepping in at the Tribunal

Once Toronto’s zoning bylaw was passed, the OHRC intervened in an application against the City at the Human Rights Tribunal of Ontario. Other parties in this case are the Dream Team

(an organization led by psychiatric consumer survivors) the Advocacy Centre for Tenants Ontario (ACTO) and the Human Rights Legal Support Centre.

We are also intervening in Tribunal cases with the same partners and issues against the cities of Smiths Falls and Kitchener. A fourth city, Sarnia, was also originally named, but has since made a commitment to change its bylaws to reflect its human rights responsibilities. We commend Sarnia for the solid leadership it is showing in this area.

The cases with Smiths Falls and Kitchener are currently at the mediation stage, while the Toronto case is pending.

Working on Waterloo rental housing licensing

Over the past few months, staff of the City of Waterloo have worked extensively with the OHRC to create a rental housing licensing by-law that meets the City's operational needs while respecting and advancing the human rights of tenants. While some elements can be seen as best practices, we still have concerns about this bylaw.

Our concerns include the cap on bedrooms, the use of demographic data in an inaccurate way, and bedroom size requirements that exceed those in the *Building Code* and could effectively limit how many people can live in a housing unit.

There is still work to be done to make sure this bylaw focuses on helping people get the quality of housing they need, instead of telling them they may not be welcome in Waterloo.

Protecting housing options at the OMB

The OHRC has asked to be involved as a party in an OMB appeal of the City of Guelph's rental housing licensing bylaw. We believe elements of this bylaw contravene the Ontario *Human Rights Code*, by limiting the rental housing options for many people who identify under *Code* grounds. In fact, this bylaw has the potential to move beyond limiting – it could actually reduce the amount of housing available to Guelph's most vulnerable residents.

Taking it to a higher systemic level – working with the Province of Ontario

We are involved with several systemic cases against municipalities, but we want to change the rules that make discriminatory bylaws possible. The best way to do this is to work with the Ontario Ministry of Municipal Affairs and Housing to clarify the human rights responsibilities of municipalities as they draft bylaws.



Part of our work here involved a submission in October 2010 to the province-wide consultation on the Provincial Policy Statement 2005 (PPS). The PPS gives policy direction on matters of provincial interest related to land use planning and development.

Under the *Planning Act*, all decisions made by municipalities and other planning authorities affecting land use planning must be consistent with the PPS – which makes it a valuable tool for building in human rights principles. If it integrates human rights and considers the Ontario *Human Rights Code*, it can bring progressive action on ensuring accessible, healthy, affordable and equitable housing across Ontario.

In our submission, we asked for revisions that would integrate human rights, and recommended ways the PPS could include requirements for preventing and removing discriminatory land-use barriers.

In the spring of 2011, we also made a submission on Bill 140, the *Strong Communities through Affordable Housing Act, 2011*. While the bill is receiving general support, we are concerned

that it does not explicitly connect human rights requirements, and does not deal with the very long waiting lists for a limited supply of affordable housing in Ontario.

It is vital that Ontario recognizes housing as a human right and a matter of provincial and national interest for some compelling reasons – the international community recognizes housing as a human right, housing is protected under Ontario's *Human Rights Code*, and the people most in need of affordable housing are likely to be the same people who the *Code* aims to protect.

We also voiced our support for other amendments proposed by the Centre for Equality Rights in Accommodation, the Social Rights Advocacy Centre, the Housing Network of Ontario, the Ontario Municipal Social Services Association, March of Dimes Canada and the Ontario Non-Profit Housing Association, among others. These organizations all suggested amendments consistent with our 2008 consultation report, *Right at Home*, our 2009 *Policy on Human Rights and Rental Housing*, and our comments on the PPS discussed earlier:

Seventeen years ago, in 1944, this legislature enacted The Racial Discrimination Act, making it an offence to publish or display any notice, sign, symbol or other representation expressing racial or religious discrimination.

That was the first [anti-discrimination] Act passed in this Legislature. As a matter of fact, it was passed and introduced here with some fear and misgivings; but I ask you today, Mr. Speaker, who would repeal that Act which we faced with some fears 17 years ago?

– Hon. Leslie Frost in the Ontario
Legislature, February 14, 1961

Reflecting on retirement homes

We often refer to our retirement years as our "golden" years. But there is nothing golden for many older Ontarians who are afraid of the people they rely on for care, who are not sure if their pension cheques will cover their next month's rent, or who don't have any way to complain when human rights issues arise at their retirement home.

That's why we were pleased to see the Seniors' Secretariat working to put in place – for the very first time in Ontario – a system to help remove the risk of substandard care or abuse, and to enhance the quality of life of vulnerable people living in retirement homes across the province.

In May 2010, the OHRC made a written submission and Chief Commissioner Barbara Hall appeared before the Standing Committee on Social Policy to comment on Bill 21, an Act to regulate retirement homes.

We made several recommendations on how the Bill could be amended to enhance the ability of retirement home providers to meet their obligations under the *Ontario Human Rights Code*. These included:

- Requiring retirement home providers to develop human rights policies and complaint procedures, including procedures on the duty to accommodate, which should include a focus on protecting the rights of people with mental health disabilities and dementia
- Making staff training on these policies and procedures mandatory
- Amending the Residents' Bill of Rights to reflect the duty to accommodate people's *Code*-related needs to the point of undue hardship
- Carefully considering the impact of fees on the ability of people with low incomes to get the housing and services they need in retirement homes
- Putting stronger safeguards in place related to restraint and confinement, including outlining people's rights of review and expanding how advice on rights is provided
- Consulting the OHRC when screening procedures for staff and volunteers are developed, to make sure that the requirements for police background checks will not have an adverse effect on people who have been apprehended under the *Mental Health Act*.

This Act has now been passed. We are monitoring the next steps, which include putting regulations in place to support the new law.

June 2001, the Commission released its Consultation Report, Time for Action: Advancing Human Rights for Older Ontarians. This helped bring about the end of mandatory retirement in Ontario.

In recognition of the fact that laws by themselves will not put an end to discrimination, the Ontario anti-discrimination commission was established in 1959 with the task of developing and conducting a provincewide programme of education.

– Hon. Leslie Frost in the Ontario Legislature, February 14, 1961

Looking for high quality solutions

All Ontarians should enjoy the rights to inclusion, dignity and personal choices in their daily lives. While most of us take the ability to make these choices for granted, there are still some people who do not enjoy the level of rights that most of us do. Simple rights like being able to decide what clothing to wear or what to have for lunch are often not available to some of the most vulnerable members of our society – people with developmental disabilities. An initiative is underway to change this.

In April 2010, the OHRC reviewed the Ministry of Community and Social Services' Draft Regulation on Quality Assurance Measures for services and supports to adults with a developmental disability. This regulation supports the *Services and Supports to Promote the Social Inclusion of Persons with Developmental Disabilities Act, 2008*.

We agreed that the proposed quality assurance measures include ways to support adults with a developmental disability. In particular, the requirement for service agencies and providers to promote inclusion, individual choice and independence reflects important human rights principles.

While the groups we have heard from generally support the new legislative and regulatory direction, we also heard some concerns and constructive recommendations. These include the amendments proposed by the ARCH Disability Law Centre, including:

- Requiring service agencies to develop human rights policies and procedures specific to the unique circumstances of people with developmental disabilities based on minimum rights and entitlements prescribed in the

regulation. This would include the right to live free from discrimination, harassment, abuse and neglect, as well as freedom of choice in service decisions and activities of daily living

- Setting detailed requirements for agencies to establish complaint mechanisms, as well as defining an external appeals mechanism
- Amending the definition of police record checks to avoid negative effects for people with mental health issues who are in contact with police
- Requiring agencies to "fulfill to the maximum extent possible" rather than simply "consider" the needs, goals, preferences and choices of the individual
- Ensuring that service agencies respect individual privacy and dignity while monitoring health concerns

We also recommended that minimum rights and entitlements be expanded to include the right to accommodation short of undue hardship as required under the *Code*, and apply to all protected grounds of discrimination.

We look forward to working further on this important regulation, which will have a profound impact on the quality of life of many vulnerable people.

Continuing to vote for accessible elections

On March 12, 2010, Canada ratified the U.N. *Convention on the Rights of Persons with Disabilities*. Much more than "just another treaty," the Convention is, essentially, Canada's promise to protect, promote and advance the rights of people with disabilities. An important part of the Convention covers the right to vote. Article 29 states:

States Parties shall guarantee to persons with disabilities political rights and the opportunity to enjoy them on an equal basis with others, and shall undertake:

(a) To ensure that persons with disabilities can effectively and fully participate in political and public life on an equal basis with others, directly or through freely chosen representatives, including the right and opportunity for persons with disabilities to vote and be elected...

(b) To promote actively an environment in which persons with disabilities can effectively and fully participate in the conduct of public affairs, without discrimination and on an equal basis with others, and encourage their participation in public affairs...

This adds more weight to our work over the past two years to make electoral systems fully accessible and inclusive. We have worked with government bodies and staff to remove barriers that were hampering this goal.

With the passing of Bill 231, the *Election Statute Law Amendment Act*, all polling stations for provincial elections are required to be accessible. Now we are shifting our focus to barriers faced by electors and candidates beyond the voting booth.

We've asked disability advocacy groups, provincial officials and all of the political parties in Ontario to consider other disability-related barriers that electors, candidates and individuals seeking nomination can face before, during and after elections. These include:

Inaccessible facilities: political party, constituency and riding association offices as well as nomination, fundraising, campaign rally and all candidate debate events located in facilities with entrances, stairs, washrooms and other features that are inaccessible to people with mobility-related disabilities.

Communication and other services: meetings and events offering no sign language interpretation, real time captioning, deaf-blind intervention or attendant care, making them inaccessible to persons who are deaf, deafened, deaf-blind or hard-of-hearing or who have other types of disabilities.

Inaccessible print and information technology: materials produced or used by parties, riding associations, candidates or individuals seeking nomination that are inaccessible to persons with vision disabilities; this includes flyers, brochures, position papers, etc. not available in alternative formats such as electronic text, Braille or large-print publications. Websites not designed to meet international accessibility standards are also a barrier.

Disability-related expenses: expenses incurred by candidates or other individuals with or without disabilities that are not reimbursed.

We will continue to monitor election accessibility issues during and beyond the October 2011 provincial election.

Looking at the path – reviewing the AODA review

As the government moves forward with implementing the AODA, we continue to advocate for the Act and accompanying standards to meet the vision and the requirements of the Ontario *Human Rights Code*.

This included commenting on Charles Beer's 2010 report, *Creating a Path Forward – Report of the Independent Review of the Accessibility for Ontarians with Disabilities Act (AODA) 2005*.

We agreed with Mr. Beer on the need to raise accountability and public profile for the AODA. While we appreciate the work the Ministry of Community and Social Services is doing to educate the private and non-profit sectors, more needs to be done to get the general public to fully embrace the AODA. Barriers in Ontario are not just physical – they are also attitudinal. We need a kind of social awakening that can only happen when people at the highest levels get involved in public communication and education.

We also supported Mr. Beer's call to harmonize legislation and standards. We are currently looking at the proposed integrated accessibility regulation,

which will help to do this. But harmonization also requires applying the *Human Rights Code* and human rights principles such as inclusive design, no new barriers, individualized accommodation, and no gains lost.

Other legislation, regulations, standards, policies, programs and services also need to harmonize with the AODA and the *Code* to make sure people with disabilities benefit equally in such vital areas as education, housing, health care, social supports, access to justice and accessible elections. This is why we strongly support Mr. Beer's recommendation for a provincial policy framework on accessibility that would set out goals and expectations for the AODA's vision along with core principles and criteria for developing and evaluating standards.

This framework should also include tools and procedures to make sure the AODA, the *Code* and other disability rights are properly considered and addressed when developing, revising and implementing legislation, policies and programs, signing contracts and spending public funds.

More on the AODA – Proposed Integrated Accessibility Regulation

In March 2011, we made a submission on the Proposed Integrated Accessibility Regulation that expressed our serious reservations. This Regulation continues to focus on preventing new barriers going forward in the areas of information and communications, employment and public transportation. Our concern is that the proposed Regulation has no requirements for removing

the many existing barriers across the province. This contravenes section 6(6) of the *Accessibility for Ontarians with Disabilities Act (AODA) 2005*, which states that standards must include requirements for removing existing barriers.

The Government has stated that removing barriers will be its long-term objective and that preventing them is the short-term objective. If that is the case,

we feel strongly that the Regulation should be amended so that all the implementation timelines are short-term. This would be in keeping with the standards development committees' obligation to re-examine the Regulation within five years of it being adopted.

While this version of the Regulation did have many improvements, we still have concerns that some standards could cause contraventions of the Ontario *Human Rights Code*, because it:

- Exempts smaller organizations, as well as organizations with no employees, from many technical requirements such as accessible websites
- Exempts volunteers from employment standards

- Exempts inaccessible transit vehicles that exist in a fleet on July 1, 2011 – in fact, we also sent a letter to transit operators across Ontario cautioning them to not purchase inaccessible vehicles before the Regulation took effect
- Has “where not practicable” exemptions throughout. These could lead to contraventions because the Code requires accommodation unless it would cause undue hardship.

Other groups including the AODA Alliance are raising similar concerns. People with disabilities across Ontario are counting on us to push for regulations that will improve their quality of life. We will continue to work to make sure the new AODA regulations meet this goal and reflect the vision of the Code.

Learning and teaching – working with the education sector

Every student in Ontario needs to have opportunities to learn and succeed. This does not happen when students are suspended because of mental illness beyond their control, or can't take the courses they need because they use a wheelchair and the school does not have an elevator, or they are disciplined for not following the dress code because they wear a hijab in accordance with their creed, or they are bullied for being lesbian, gay or transgendered.

These are just a few of the many human rights barriers that arise regularly in schools today. Each of them has the potential to rob students of an equal opportunity to learn and succeed as members of our society.

School systems across Ontario must provide education free of discrimination, offer equitable treatment to all students and promote individual dignity, individualization and full participation. We are partnering with key stakeholders in the education sector to make sure that Ontario's

Equity and Inclusive Education Strategy – known as the Equity Strategy – is implemented in accordance with the Code.

The Equity Strategy includes a set of requirements and steps all school boards must take to achieve equity and inclusion. It's designed to help school boards build human rights capacity and break down barriers to eliminate problems before they happen.

The OHRC is learning from the education sector and sharing resources and information. In the past year, we made presentations and worked with educators at school board conferences, training events, regional network meetings, Ministry of Education events, safe school conferences and in individual schools across the province. Presentation topics included: how to apply the Code when implementing the Equity Strategy, human rights issues in student discipline and accommodation based on disability and other grounds, including creed.

We're currently designing a policy on human rights and student discipline, creating materials to help boards identify and remove potential barriers in their policies, and we're building e-learning modules for teachers. We're teaching everything from basic human rights to how to collect human rights-based data to advance human rights in schools.

We're encouraged to see parents, communities and school boards working together with the Ministry to give all students the opportunities they need to succeed. The OHRC will continue to be a part of this exciting work, and to make sure every student has the chance to belong and succeed.

Putting competing rights in perspective

In our society we have different levels of rights – Charter rights, under the *Canadian Charter of Rights and Freedoms*, Code rights, from Ontario's *Human Rights Code*, statutory rights created by laws and other "perceived rights." As people better understand their rights and wish to exercise them, some of those rights can come into conflict. For example, the right to be free from discrimination on the ground of religious creed, or sexual orientation or gender can sometimes appear to be at odds with other rights. Is health and safety (wearing a motorcycle helmet) more important than established religious practice (wearing a turban)? Can your employer require you to sign a pledge not to engage in certain sexual activity?

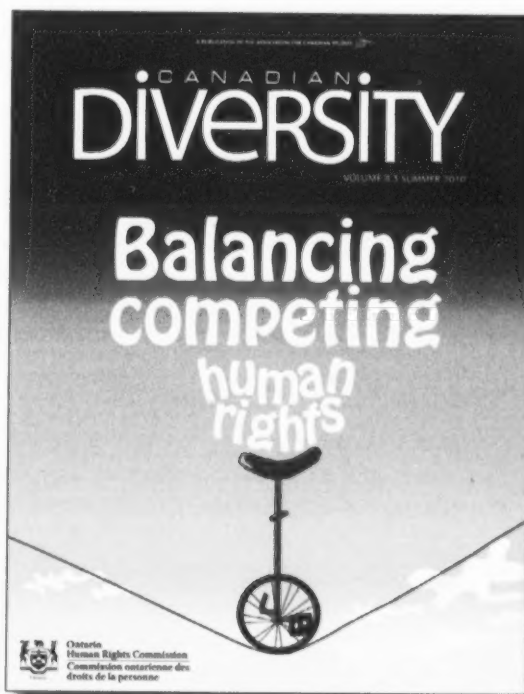
In March 2010, the OHRC, in partnership with the York University Centre for Public Policy and the Law, held a Policy Dialogue on Competing Human Rights Claims. This was our first step towards developing an OHRC policy on dealing with these kinds of competing rights.

Community and advocacy groups joined academics, lawyers and policy makers to discuss what competing human rights claims look like and how to handle them to protect the human rights of all.

As part of this dialogue, we invited a team of experts to submit papers on various elements of competing human rights. These papers were published in a special edition of *Canadian Diversity*, available online in both English and French at www.ohrc.on.ca.

Finding a workable balance between competing rights requires "considering the possibility of a solution."

The essays in this special issue of *Canadian Diversity* help us to take that first step. Each contributor offers insights and different perspectives of the nature of competing human rights claims and ideas on how to build a framework for addressing them in Ontario and across Canada.



Building a framework for assessing competing rights

After the policy dialogue, we created a draft framework for dealing with competing rights in a respectful way that considered the rights of all involved. We presented this model to a diverse group of stakeholders in an intense two-day session. The framework is now being fine-tuned for the next step – creating a formal policy that offers practical steps for considering the possibility of solutions that will both respect and support everyone's rights.

In 1992, the OHRC litigated and won the first recognition of same sex benefits in *Leshner v. Ontario* (No. 2). The Board of Inquiry (the forerunner of the Human Rights Tribunal of Ontario) found that Michael Leshner's employer, the Province of Ontario, discriminated against him because of his sexual orientation when it denied him coverage under employment benefit plans for his same-sex partner.

Taking conflicting rights to the next step – the Christian Horizons decision

Tribunals and courts face a growing need to balance competing rights, in areas such as religion and sexual orientation. One example of this balancing act is *Ontario Human Rights Commission v. Christian Horizons*, a lengthy and complex case which was appealed to the Ontario Divisional Court.

Christian Horizons is a non-profit, faith-based charitable organization. It provides residential homes and care and support to more than 1,400 Ontarians with developmental disabilities, regardless of creed. This work is publically funded. Employees had to sign a "Life Style and Morality Statement." This statement barred, among other things, "extra-marital sexual relationships (adultery), pre-marital sexual relationships (fornication), reading or viewing pornographic material [and] homosexual relationships..."

At issue was the right, based on the ground of religion, of Christian Horizons to require its employees to sign a Lifestyle and Morality statement that prohibits employees from

homosexual relationships, and the right of Connie Heintz, a support worker who was in a same-sex relationship, to be free of discrimination based on sexual orientation in employment.

The Divisional Court found that Christian Horizons did not prove that avoiding a same-sex relationship was a valid occupational requirement for a support worker. It stated that, "...the support workers' employment and the tasks they perform are not intended to infuse the residents of the homes that Christian Horizons serves with the lifestyle morals that Christian Horizons demands of its adherents."

The Divisional Court allowed Christian Horizons to continue to use its Lifestyle and Morality Statement as a condition for employment, but with a direction to delete the discriminatory reference to same-sex relationships.

The Court also upheld the award the Human Rights Tribunal of Ontario had previously ordered to compensate Ms. Heintz for lost wages, general damages and damages for mental anguish.

This case shows just how hard it is to strike a balance between competing rights – the right to be free of discrimination in the workplace based on sexual orientation and the right of a religious

organization to employ members who adhere to core faith beliefs, even when providing a secular service.

No doubt, when these steps were taken, there were some misgivings, based on a fear that such unique laws would not work. But they have worked because they are in harmony with the thinking of our people. The record of administration indicates clearly that the human rights code has won not only very wide acceptance in this province, but also is practised widely by the vast majority of our people.

– Hon. Leslie Frost in the Ontario Legislature, February 14, 1961

Balancing creed and safety – *Loomba v. Home Depot Canada*

A good example of rights and responsibilities colliding is the case of Deepinder Loomba, a Sikh man who wears a turban. In his job as a security guard, he was assigned to monitor security at a Home Depot store that was still under construction. Although there were signs stating hardhats were required on the site, Mr. Loomba did not wear one because it interfered with the turban he wore as an element of his faith.

This led to a heated dispute with the store's assistant manager, who insisted the hardhat was a safety requirement under the *Occupational Health and Safety Act*. Mr. Loomba was taken off the job, and faced a reduction in work hours.

In a June 2010 decision, the Human Rights Tribunal of Ontario found that Mr. Loomba had been discriminated against – he had been treated differently in a negative way because of his turban. The Tribunal also found that the store did not consistently enforce the protective safety equipment rules, and was more strict with Mr. Loomba than with other people, because of his creed.

This case was split into two parts – the next stage will involve considering the right to be free of discrimination along with the need for safety under the *Occupational Health and Safety Act*, and determining remedies.

Competing rights case moves to the Supreme Court of Canada

The Supreme Court of Canada recently agreed to hear the case of a woman who wanted to exercise her right to express her religion by continuing to wear her niqab while testifying in a sexual assault case. This case involves a possible conflict between the right to religious freedom and a defendant's right, under the *Charter of Rights and Freedoms*, to face their accuser as part of

their "full answer and defence" to the charges against them.

The OHRC intervened in this case at both the Superior Court of Justice and the Court of Appeal for Ontario, and we have applied to intervene at the Supreme Court of Canada.

Expressing support for freedom of expression

Ontario's *Human Rights Code* is clear – the right of people to express their opinion is protected. In support of this principle, we intervened at the Human Rights Tribunal of Ontario (HRTO) in *Whitely v. Osprey Media Publishing Inc. and Sun Media Corporation*.

The case involved an allegation that an editorial in *The County Weekly News* discriminated against people who have moved to Prince Edward County from elsewhere. The applicant alleged discrimination in services because of place of origin.

The OHRC argued that section 13 of the *Code* does not restrict newspapers from printing opinions that some people may not like. In its October 2010 decision, the Tribunal agreed, saying "...publication of opinion in the media is a matter at the core of freedom of expression and freedom of the press in a democratic society."

Setting new standards for defining discrimination

Preventing discrimination is at the heart of the Ontario *Human Rights Code*. The courts and tribunals continue to clarify what this means. One example is a landmark ruling in September 2010.

In *Tranchemontagne v. the Ministry of Community and Social Services*, the Ontario Court of Appeal upheld a lower court ruling that two alcoholics were entitled to disability benefits. This case looked at what constituted discrimination in human rights law.

Robert Tranchemontagne and Norman Werbeski were denied disability benefits because of their dependence on alcohol. The Director of the Ontario Disability Support Program said they should not get the benefits because their addiction was their "sole impairment." But the Social Benefits Tribunal said that was discriminatory under Ontario's *Human Rights Code*. The Divisional Court agreed. Both the Tribunal and the Divisional Court rejected the government's argument that denying disability benefits was in the best interests of people with a substance abuse problem.

The Court of Appeal held that denying disability benefits to people with addiction disabilities is discriminatory.

"This is an important decision for people who are disabled by their addiction," said OHRC Chief Commissioner Barbara Hall. "We hope this latest ruling will help shed light on the nature of discrimination and help other courts and tribunals

deal with these cases which have a direct impact on the quality of life for many people in Ontario."

In 1985, the OHRC litigated the landmark Ontario Human Rights Commission and O'Malley v. Simpsons-Sears Ltd. This case established that there was no need to establish "intent" to discriminate to find that discrimination happened.

Bringing online learning to life

One of the OHRC's key roles is to educate people across Ontario about their rights and responsibilities under the *Code*. The challenge is to use limited resources to meet unlimited requests for education and information. The Internet is a big part of meeting this challenge, and is helping us reach a greater audience than ever before.

In June 2010, we launched our first e-learning module, Human Rights 101. Developed with assistance from the New Media Studies Program at the University of Toronto Scarborough and input from community stakeholders, Human Rights 101 users will be able to learn about human rights information over the Internet. Designed to be accessible to a wide range of users, employers, workers or newcomers to Canada can now get information on human rights history, principles, legislation and policies at the click of a button any time of the day.

The e-learning module provides background to modern human rights, the Ontario *Human Rights Code*, Ontario's human rights system and the OHRC's policies and guidelines. After working through the various sections, users can also take a quiz at the end to see how much they have learned.

"This is experiential learning at its best," says Professor Rick Halpern, Dean and Vice-Principal (Academic) at the University of Toronto Scarborough. "Our community partners tapped the creative thinking of young, enthusiastic minds, while the UTSC students broadened their academic understanding. Our students did hands-on work to bring learning to life in an e-platform, and at the same time, they enhanced their knowledge of human rights issues. When students see how their knowledge and skills can have a real impact in the world, they will learn how they can be a force for positive change in the careers they choose to follow."

Human Rights 101 is currently being translated into 13 languages.



Adding rental housing to the online learning mix

On December 10, 2010, to mark International Human Rights Day, the OHRC launched its second e-learning module, at an event hosted by the York Centre for Human Rights. This module provides online learning and training for everyone who needs information on human rights issues that come up in rental housing.

People cannot be refused an apartment, harassed by a housing provider or other tenants, or otherwise treated unfairly because of one or more of the protected grounds under the *Code* such as race, age, family status or sexual orientation. The module also covers the responsibilities of landlords to make sure that their rental properties are free from discrimination and harassment.

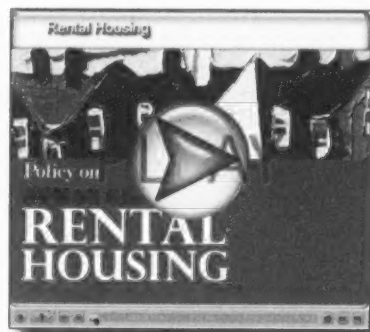
The Rental Housing module gives examples of the barriers people can face in housing, such as:

- Ads that read “adults only”, which effectively screen out tenants with children
- Practices that stream new immigrants and single mothers into older buildings or ignore repairs to units because it is assumed some tenants are less responsible than others

- Agreeing to rent over the phone, and then reneging when the landlord sees that the renter is someone from a certain racial background, or has a disability.

For landlords, the module includes practical advice on how to prevent and address human rights issues, such as:

- What information they can and cannot ask for when choosing tenants
- How they can remove barriers for older tenants or people with disabilities
- How to avoid developing rental ads that exclude certain groups of people.



Marking a milestone in policing

In May 2010, the Toronto Police Service, the Toronto Police Services Board and the Ontario Human Rights Commission celebrated a major milestone in their joint project to bring about institutional change to eliminate racism and discrimination – the completion of the three-year Human Rights Project Charter initiative.

The Project Charter, launched in 2007, arose out of a need to address human rights concerns about police that were being brought before the Human Rights Tribunal of Ontario. The project involved a

working group of staff from each of the three organizations. Their task was to look at human rights issues in employment policies and in how the TPS delivered police services. The working group looked at four main areas:

- Recruiting, selecting, promoting and retaining staff
- Police learning
- Accountability
- Public education.

An example of the kind of work we did took place in February and March 2011. We worked with the TPS Diversity Management Unit to design and deliver six training sessions on investigating human rights complaints for TPS staff who have to investigate and resolve both internal and external complaints. We also invited other police services to take part.

The partners agree that, through research, analysis, dialogue and the exchange of new ideas, real progress has been achieved in all these areas.

Even though the three-year Project Charter is now completed, the work will continue. Included in the next steps is a independent review of the progress made during the project.

Positive change came from this unique partnership project. While there is still work to do, this serves as an example of how partnerships can help create a culture of human rights within organizations.

Taking the police charter to Windsor

Policing is a critical part of communities across Ontario – police officers are woven into our neighbourhoods and our daily lives, and are often the first people we see in times of crisis. A person's experience with police – positive or negative – can affect them in a lasting, personal way. That's why adding a human rights perspective to policing is so important.

From our work with various police services, including Toronto, the OHRC has learned lessons that would be of benefit to other Ontario police services. We will soon publish a guide police services can use to add a human rights lens to their operations.

In February 2011, we began a joint initiative with the Windsor Police Service, Windsor Police Services Board and Ontario Provincial Police to address policing and human rights issues, and ultimately to prevent discrimination and racism.

All four organizations have agreed to implement a shared Human Rights Project Charter. It is modelled on the project by the Toronto Police Service, the Toronto Police Services Board and the OHRC that ran from 2007 to 2010. The Charter's main objective is to look at existing policies and programs, and develop strategies that help the Service and the Board address human rights concerns.



Photo: OurWindsor.ca

Ontario Police College Deputy Director Allan Phibbs, Windsor Mayor and Police Board Chair Eddie Francis, OHRC Chief Commissioner Barbara Hall and Windsor Police Chief Gary Smith sign on for human rights and policing.

It will look at identifying and eliminating discrimination in the services delivered to the public, and in its employment practices, including hiring, transferring, retaining and promoting Police Service members. The three-year project will be led by a working group with representatives from all four organizations. They will identify and review human rights issues, design response plans, develop initiatives and measure and report back publicly on their progress.

In 2003, the OHRC released a report on its inquiry into racial profiling in policing, education and other sectors. Paying the Price: the Human Cost of Racial Profiling caused a flurry of media attention and much-needed discussion on race issues in Ontario.

Talking human rights with local government

The OHRC provides tools and approaches that individuals, organizations and sectors across Ontario can use in their own efforts to advance human rights. But the need to understand human rights extends beyond employers and the provincial government. Local governments make decisions on issues ranging from child care to public transit – in fact, they provide many of the direct services in our communities. The rules they set and the services they provide can have a major impact on human rights.

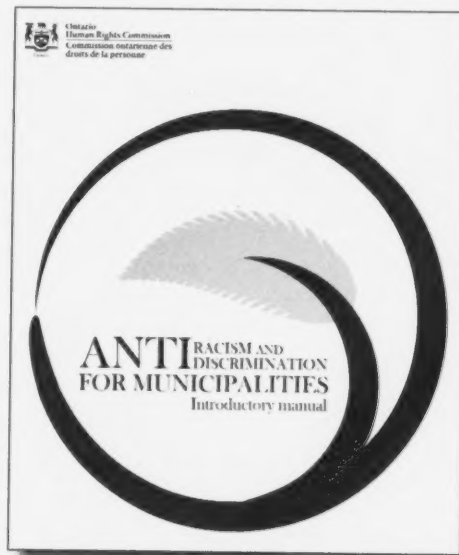
In June 2010, we launched a new reference guide, *Anti-racism, Anti-discrimination for Municipalities*, which offers tips and templates municipalities can apply to support human rights in communities of all sizes.

The guide includes some of the best ideas from across Canada. For example, it talks about how Saskatoon's Race Relations Committee reviews city policies, practices, and programs to recommend changes or action relating to personnel, policing, leisure services, housing and community services, education and training, use of municipal facilities, and planning and zoning.

It also talks about how the City of Toronto distributes posters on hate, equity and respect for diversity. This campaign is educating the public and showing support for racialized communities.

Many smaller communities may not have resources that are dedicated to doing this kind of work. The guide is geared to those municipalities, and offers many approaches they can take that are within their means.

Anti-racism, Anti-discrimination for Municipalities represents the input and ideas of many players across Ontario and in some cases across Canada. We extend a special thank-you to our partners at the Canadian Race Relations Foundation, York University and the City of Vaughan for their support.



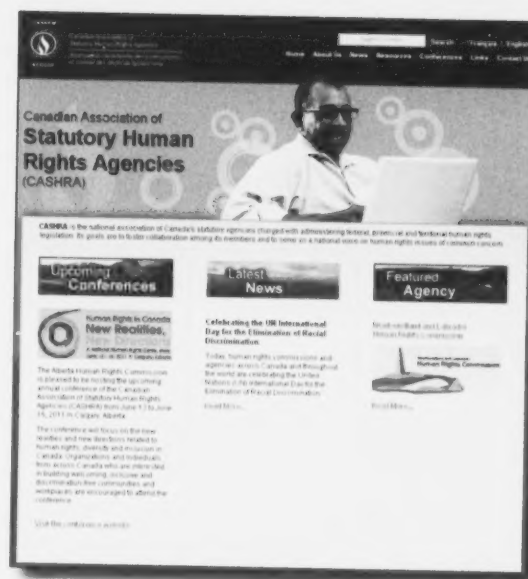
In order to strengthen the educational arm of our programme, the Ontario anti-discrimination commission will be renamed the Ontario human rights commission. This name, I think, is more in keeping with the great purpose which we all have in mind. This will be in line with the positive approach to human rights which encompasses all of the people of Ontario.

– Hon. Leslie Frost in the Ontario
Legislature, February 14, 1961

Connecting across the country

In June 2010, the OHRC joined its colleagues across Canada to launch www.cashra.ca, a new website to showcase the work of Canada's federal, provincial and territorial human rights agencies. This site provides links to all human rights agencies in Canada as well as to initiatives, news and opinions of national interest coming from the partner organizations.

The website is hosted by the Canadian Association of Statutory Human Rights Agencies (CASHRA). Its members administer federal, provincial and territorial human rights legislation. CASHRA's goals are to share information and best practices among its members, build partnerships and serve as a national voice on human rights issues of common concern.



The newly designed CASHRA website will continue to provide information on its annual conferences. It will be updated regularly, and will highlight the work of a different human rights commission each month.

Adding social networking to the conversation

"Getting the message out" is a critical part of the work we do. This past year the OHRC began to take advantage of the communication tools offered by social media. In a few months we've attracted 400 "friends" to our Facebook page and more than 500 "followers" to our Twitter stream. We've discovered that those two media reach different audiences looking for different sorts of stories. We've also found that we are increasing the awareness of all our work among people who we might not reach with "traditional" publications. One immediate result – we believe our new social media presence played a key role in getting more than a thousand people to take our online survey on mental health and addiction issues.

Why not take a look for yourself? Friend us on Facebook – www.facebook.com/the.ohrc or follow us on Twitter – @OntHumanRights.



Giving human rights the personal touch

Even though e-learning and other electronic options make training large numbers of people more possible, there is still a need to meet with people across Ontario – and in some cases across Canada and the world – to “put a face” to human rights. Staff consulted and offered human rights training on mental health, racism, school discipline, Aboriginal issues, municipal zoning and other issues.

Here are some highlights:

- Hosted meetings and served on the Law Commission Disability Project
- Welcomed delegation from Japan and offered advice on their work to develop human rights legislation and a commission
- Met with the Council of Canadians with Disabilities to promote the United Nations Convention on the Rights of Persons with Disabilities
- Provided input on the Association of Canadian Studies report to the European Union initiative comparing national human rights laws and policies from select countries
- Took part in a video conference with Persons United for Self Help Ontario to hear concerns about unnecessary institutionalization and access to housing and community services
- Gave advice to a school board on issues affecting student athletes undergoing gender transition
- Wrote to the Chair of the Toronto Transit Commission supporting adding a bus stop to Variety Village, a centre that caters to persons with disabilities
- Provided training to staff at the Centre for Addiction and Mental Health on human rights and mental health in employment.

In February 2011, we were pleased to meet with Feliciano Reyna, Executive Director of Venezuela's Action in Solidarity, a non-government organization providing community support for people living with AIDS, and Sinergía, an umbrella structure for Venezuelan NGOs dealing with social issues and human rights. As recipient of the Embassy of Canada in Venezuela Human Rights Award, Mr. Reyna travelled in Canada and met with the OHRC to learn more about our human rights laws and system.

As well, Chief Commissioner Barbara Hall met and spoke with more than 60 communities and groups across Ontario, to promote a culture of human rights. Speaking venues included:

- Holy Names Catholic High School, Windsor
- C.W. Jefferys Collegiate Institute, Toronto
- Canadian Home Builders Association, Ottawa
- Association of Canadian Cartoonists, Hamilton
- Amnesty International, Ottawa
- Association of Condo Managers of Ontario, London.



OHRC staffer Bipasha Choudhury talks about data collection with Volunteer Toronto.

You can quote us on this

When a new issue arises, we often hear about it first in the media. And the media is often the best venue for commenting on an issue to a wide audience. The OHRC continued to use media interviews, releases and advisories, and letters to the editor to respond to issues, correct inaccuracies and educate new audiences about human rights.

Examples of letters to the editor from Chief Commissioner Barbara Hall included:

- **“Shock and sadness over ‘No Natives’ sign”**

In response to an article condemning the placement of a “No Natives” sign on a restaurant door in Lakefield, we talked about how this served as a tragic reminder that what happened in the past continues to happen today – Aboriginal people across Ontario continue to live with discrimination and hate. We also praised the quick response of police, Aboriginal leaders and the community of Lakefield, and urged all Ontarians to follow the lead of the Lakefield community, and to make a new history of reconciliation and inclusion.

- **“Coach who protested racial slur suspended until April”**

We wrote in support of Greg Walsh, coach of a Peterborough house league hockey team, who defended his player's right not to be

the subject of racial slurs and led his team off the ice in protest. We felt his action was admirable, and strongly stated we did not support his being suspended for doing this. We added that all of us, on and off the ice, should stand up and say no to racist conduct.

After a groundswell of support for Mr. Walsh, the Ontario Minor Hockey Association cancelled the suspension.

- **“Good information comes at a price”**

In a letter to the Globe and Mail, we shared our concerns about deleting the census long form. We said this information was a vital starting point for organizations working to eliminate barriers for their workers and their customers. It is hard to solve problems or run a successful business or make a good policy without all of the information – yet that is exactly what was proposed (and ultimately enacted) with these changes.

We also sent a detailed letter to Industry Minister Tony Clement. We wrote about the potential human rights implications of deleting the long form, the Longitudinal Survey of Immigrants and the Participation and Activity Limitation Survey about people with physical and mental disabilities.

Looking at the year ahead

The Province of Ontario will mark the 50th anniversary of the *Human Rights Code* – the first in Canada – in June, 2012.

The OHRC will celebrate a number of milestones in the coming months, culminating with the anniversary of the *Human Rights Code*. These milestones include the 30th anniversary of the

legislature passing the 1981 *Code* which added protections against discrimination the grounds of disability, citizenship, family status, record of offences and receipt of public assistance, and the 25th anniversary of the legislature amending the *Code* to prohibit discrimination because of sexual orientation.

Financial position as at March 31, 2011 (\$'000)

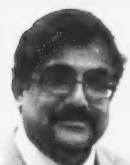
	2010-2011 Printed Estimates	Projected Labour Adjustment Costs	Revised Budget March 31, 2011	Actual Expenditures March 31, 2011	2010-2011 Year End Variance from Revised Budget	
					\$	%
Salaries and Wages	4,515.5	143.6	3,882.3	3,928.5	-46.2	-1.19%
Benefits	320.7	133.2	330.7	451.0	-120.3	-36.38%
Other Direct Operating Expenses (ODOE)	647.2		993.6	728.3	265.3	26.70%
Total Expenses	5,483.4	276.8	5,206.6	5,107.8	98.7	1.90%

Meet our Commissioners *(continued)*



Larry McDermott – Lanark – Appointed September 2009

A member of Shabot Obaadjiwan First Nation, Larry McDermott served as an Ontario municipal politician for 28 years including as the first national rural chair of the Federation of Canadian Municipalities. He is currently Executive Director of Plenty, a non-profit organization devoted to environmental protection and healthy communities.



Errol Mendes – Ottawa – Appointed September 2009

Errol Mendes is a lawyer, author, professor and has been an advisor to corporations, governments, civil society groups and the United Nations. His teaching, research and consulting interests include public and private sector governance, conflict resolution, constitutional law, international law and human rights law and policy.



Mark Nagler – Hamilton – Appointed September 2009

Mark Nagler, Professor Emeritus, taught sociology, race and ethnic relations, native studies and disability studies for 29 years at the University of Waterloo. A past president of ARCH, he has served on many volunteer boards and has advised the federal and provincial governments on a variety of aspects related to disability issues.



Fiona Sampson – Toronto – Appointed September 2009

Fiona Sampson is the Human Rights Director at Canadian Lawyers Abroad (CLA), where she is also the Director of the African and Canadian Women's Human Rights Project. Fiona has worked as a legal consultant with, among others, the Ontario Native Council on Justice, the DisAbled Women's Network (DAWN) of Canada, Education Wife Assault, and the Ethiopian Muslim Relief and Development Association.



Bhagat Taggar – Scarborough – Appointed May 2005

Bhagat Taggar is a Chartered (UK) and Professional (Ontario) Engineer with diverse international and Canadian community experience. He is the past chair of the Employment Insurance Board for the Ontario regional division (Scarborough) and a recipient of the Queen's Golden Jubilee Medal for community service.



Maggie Wente – Toronto – Appointed October 2006

Maggie Wente is a lawyer with Olthius Kleer Townshend, representing First Nations and Band Councils. She has also worked with the Ontario Federation of Indian Friendship Centres and the University of Toronto Community Legal Clinic. Currently she is a Board member of the Aboriginal Legal Services of Toronto.



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